

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NICHOLAS V. LIAKAS,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-10354-NG
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION c/o AMERICAN STUDENT)	
ASSISTANCE,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

On December 2, 2004, I directed plaintiff Nicholas Liakas to demonstrate good cause, in writing, within 35 days of the date of the order, why this action should not be dismissed. The December 2, 2004 Memorandum and Order stated that the complaint failed to state a claim against the defendant pursuant to the Federal Tort Claims Act and the Fair Debt Collection Practices Act.

On January 3, 2005, plaintiff filed a timely reply the Court's Order. See Docket No. 7. The two-page reply is accompanied by sixteen exhibits. In his reply plaintiff attempts to clarify his claim against defendant, however, the reply simply restates many of the facts as originally alleged in the complaint.

After carefully reviewing plaintiff's response, I find that plaintiff has failed to demonstrate any reason why this action should not be dismissed. Thus, I find that plaintiff has failed to demonstrate good cause why this action should not be dismissed.

ORDER

ACCORDINGLY, in accordance with this Court's order dated December 2, 2004, and the plaintiff not having shown good cause why this case should not be dismissed pursuant to 28 U.S.C. § 1915(e)(2), it is ORDERED that the within action be and it is hereby DISMISSED for the reasons stated above.

SO ORDERED.

Dated at Boston, Massachusetts, this 12th day of May, 2005.

/s/ Nancy Gertner
NANCY GERTNER
UNITED STATES DISTRICT JUDGE